

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, ex rel., :
STEVE M. McKEE, et al., :

Plaintiff, :

v. :

Civil Action No. 04-CV-1664

NOVARTIS PHARMACEUTICALS :
CORPORATION :

Defendant. :

NOTICE OF DISMISSAL

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and in accordance with the terms and conditions of the September 29, 2010 Settlement Agreement among the United States, Novartis Pharmaceuticals Corporation (Novartis), and Relator Steve M. McKee (the Settlement Agreement), a copy of which was attached to the United States Notice of Intervention, the United States now:

- (1) dismisses with prejudice all civil monetary claims asserted on behalf of the United States against Novartis concerning the Covered Conduct as defined in Preamble Paragraph G of the Settlement Agreement; and
- (2) dismisses without prejudice to the United States all other claims.

Respectfully submitted,


ZANE D. MEMEGER
United States Attorney



MARGARET L. HUTCHINSON
Assistant United States Attorney
Chief, Civil Division

Dated: _____

12/15/10



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SO ORDERED:

HON. J. LEGROME D. DAVIS
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify this 5th day of December, 2010, that a copy of the foregoing Stipulation of

Dismissal was sent by First Class United States Mail, postage prepaid, to:

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